

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE P.S.NARAYANA**

**WRIT PETITION NO : 2836 of 1997**

Between:

V. Venkata Narayana Rao S/o Venkateswara Rao  
R/o 9-8-162, Birlypit,  
Kothagudem, Khammam District.

**..... PETITIONER**

AND

- 1 The Regional Manager, APSRTC,  
Khammam.
- 2 The Dist. Collector,  
Khammam.
- 3 The Managing Director, APSRTC,  
RTC X Roads, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of mandamus declaring the action of the Respondent in not considering the case of the Petitioner for the post of Conductor Grade-III despite the instructions of the both Central and State Govts. with regard to preferential treatment to the discharged Census employees as illegal, arbitrary and violates the principles of natural justice and consequently direct the Respondents to consider the case of the Petitioner for appointment as Conductor Grade-III in the light of Central Govt. and State Govt. instructions dt. 26th October, 1992 and also Orders of the Honourable Tribunal passed in OA No. 7071/94 Dated 12.12.1994 and pass

**Counsel for the Petitioner: Mr. KOWTURU VINAYA KUMAR**

**Counsel for the Respondents. 1 to 3: (SC FOR A.P.S.R.T.C.) Smt. P.Ragini Reddy.**

**The Court made the following:**

**ORDER:**

This writ petition is filed praying for a writ of mandamus declaring the action of the

respondents in not considering the case of the petitioner for the post of Conductor Grade-III, despite the instructions of both the Central and State Governments with regard to preferential treatment to the discharged census employees, as illegal, arbitrary and violative of the principles of Natural justice and consequently to direct the respondents to consider the case of the petitioner for appointment as Conductor Grade-III in the light of the Central Government and State Government instructions dated

26-10-1992 and also the orders passed by the honourable Tribunal in O.A.No.7071 of 1994 dated 12-12-1994.

2. Heard Sri Srinivasa Rao, representing Sri K. Vinayakumar, learned counsel for the petitioner.

3. It is stated that earlier the Writ Petitioner filed O.A.No.7071 of 1994 before the A.P. Administrative Tribunal and on 12-12-1994 the same was disposed of with a direction that the 2<sup>nd</sup> respondent as well as the Government of A.P., represented by its Chief Secretary, directing them in the event of filling up of vacancies, the authorities should consider the case of the applicant as per the instructions issued by the Government in the aforesaid G.O. and D.O. letter referred above. It is stated that no action had been taken by the APSRTC in this regard. It is further stated that the writ petitioner worked in 1991 Census, Census department, Khammam for a period of ten months from 22-04-1991 to 29-02-1992 as Compiler and later, a discharge-cum conduct certificate has been issued to that effect. It is also stated that the writ petitioner is a graduate, possessing typewriting lower grade certificate, both in English and Telugu and he applied for the post of Conductor Grade-III, sponsored by the Employment Exchange. But, in the selection held on 07-01-1997, the writ petitioner was not selected, despite the guidelines and instructions issued by the State and Central Governments in this regard. No counter-affidavit is forthcoming.

4. In the light of the facts and circumstances of the case, the 1<sup>st</sup> respondent is hereby directed to consider the case of the petitioner for the post of Conductor Grade-III in the light of the aforesaid facts and also the guidelines and instructions, if any, issued by both the State and Central Governments in this regard and also taking into consideration the age, qualification, eligibility of the petitioner etc., in accordance with law in the future vacancies.

5. This Writ Petition is disposed of with the above direction. No order as to costs.

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(P.S.NARAYANA,J)

17<sup>th</sup> February, 2005.

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To

- 1 The Regional Manager, APSRTC,  
Khammam.
- 2 The Dist. Collector,  
Khammam.
- 3 The Managing Director, APSRTC,  
RTC X Roads, Hyderabad.
- 4 Two CD copies.